

## **REMARKS**

Claims 1-34 are pending but stand rejected. Claims 1 and 18 have been amended. In view of the following remarks, the Applicant respectfully requests the Examiner's thoughtful reconsideration.

### ***Claim Rejections – 35 USC §112:***

The Examiner rejected Claims 1-17 under 35 USC §112, second paragraph. Claims 1 and 18 have been amended to address the Examiner's concerns.

### ***Claim rejections – 35 USC §102 and 103:***

The Examiner rejected Claims 1-8, 11-14, 16, 18-25, 28-31, and 33 under §102 as being unpatentable over USPN 5,072,401 issued to Sansone. The Examiner rejected Claims 9, 10, 15, 17, 26, 27, 32, and 34 under §103 as being unpatentable over Sansone.

**Claim 1** is directed to a method of feed forward mail load notification to a carrier in a mass mailing operation and recites the following:

1. monitoring mail production;
2. transmitting a mail load forecast to the carrier, and
3. notifying the carrier of a change in said mail load forecast if said monitoring step indicates a variance in mail production with respect to the mail load forecast.

Attention is initially drawn to the use of the term "forecast." The Specification distinguishes the term "forecast" from "actual numbers." See Specification, page 12, lines 22-24. The Specification notes that current daily production rates and levels represent actual numbers and not forecasts. The Specification notes that all gathered information (including the current daily production rates and levels) is correlated to produce a forecast for the present day, the subsequent day, and with gradually

decreasing confidence, all of the subsequent days for the following thirty day period. Specification, page 12, lines 22-29. Moreover, a common definition of forecast is “a prophecy, estimate, or prediction of a future happening or condition.” See, e.g., <http://www.m-w.com> (Merriam-Webster Online Dictionary).

Rejecting Claim 1, the Examiner asserts that Sansone’s abstract and text at column 3, lines 48-67 teaches “producing a mail load forecast.” To illustrate the Examiner’s confusion between a forecast and actual numbers, those passages are reproduced as follows.

A system and method for optimizing mail delivery of batch mail. A network is established interconnecting plural batch mailers, a data center, and the Postal Service. Mail data on the mail batches is transmitted to the data center. This enables the data center to generate data to the mailers for merging mail batches to achieve additional postage discounts, to schedule and route mail carriers external to and within the Postal System to increase efficiency of handling, and to interact with the Postal Service for logistics planning and drop-off point and timing of mail batches to expedite processing.

Sansone, Abstract.

A feature of the present invention is that a data communications link can be established with the Postal Service. Since the data center computer contains the information characterizing the mailer's mail batches, by communication exchanges with the Postal Service by way of linked computers, the Postal Service can be given advance information of the **actual delivery date and time of the densified mail batches it will soon receive, and their characteristics** important for the Postal facility to know in order to marshal its resources for processing these merged batches. Such information can be very valuable to the Postal Service in its logistics planning, especially since batch mailings represent by far the preponderance of its workload. From the opposite viewpoint, armed with knowledge of Postal Service resource availability and planning, the data center can inform its users when to time their deliveries of batch mail to assure more rapid processing by the Postal Service. It is also relatively simple for the data center to maintain a database of carriers used by the Postal Service to transport physical mail from facility to facility and ultimately to the local Post Office at the mail piece destinations. Thus, the data center can supply to the Postal Service information useful for carrier selection and carrier routing within the Postal Service system, thereby reducing its processing costs, all of which can be rewarded to the mailers by way of extra discounts.

Sansone, column 3, line 48 through col. 4, line 6 (emphasis added).

It is clear from the passages relied upon by the Examiner that Sansone teaches transmitting **actual** numbers to the Postal Service as opposed to a mail load forecast. Consequently Sansone fails to teach or suggest transmitting a mail load forecast to the carrier. As such, Sansone also fails to teach or suggest notifying the carrier of a change in said mail load forecast if said monitoring step indicates a variance in mail production with respect to the mail load forecast.

For at least these reasons, Claim 1 is patentable over Sansone as are Claims 2-17 which depend from Claim 1.

**Claim 18** is directed to a system having various means for implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so are Claim 18 and Claims 19-34 which depend from Claim 18.

In view of the foregoing amendments and remarks, the Applicants respectfully and earnestly solicit early and favorable action allowing the Claims and passing the application to issue. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,  
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